IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 43 OF 2005
IN
SECOND APPEAL NO.1189 OF 2004

Anandrao Dnyandeo Darwan
(since deceased through His LRs)
Smt.Suman Anandrao Darwan & ors. ... Applicants.
Versus.
Chandrakant Dnyandev Darwan
(since deceased through his LRs)
Suvarna Chandrakant Darwan & ors. ... Respondents.

Shri A.M.Kulkarni for the Applicants.

Shri Hiranandani i/by Shri C.G.Gavanekar for the Respondents.

CORAM : ABHAY S. OKA, J.

DATED : 13th January, 2005.

P.C.:

1. Rule. Shri Hirandani appearing for the Respondents waives service. Shri Kulkarni appearing for the Applicants states that at this stage he is pressing prayer clause (c). Considering the fact that the suit filed by the Applicants for possession has been dismissed, prayer clause (c) deserves to be granted.

2. Civil Application is allowed in terms of prayer clause (c). No order as to costs.

3. Parties to act on authenticated copy of the order.

Judge.